

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 24-60029-CR-SINGHAL/STRAUSS

18 U.S.C. § 922(g)(1)

18 U.S.C. § 924(d)(1)

FILED BY AT D.C.

Feb 15, 2024

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - FTL

UNITED STATES OF AMERICA

vs.

BERKENDY THEODORIS,

Defendant.

INDICTMENT

The Grand Jury charges that:

On or about October 12, 2023, in Broward County, in the Southern District of Florida, the defendant,

BERKENDY THEODORIS,

knowingly possessed a firearm in and affecting interstate commerce, knowing that he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, in violation of Title 18, United States Code, Section 922(g)(1).

FORFEITURE ALLEGATIONS

1. The allegations of this Indictment are re-alleged and by this reference fully incorporated herein for the purpose of alleging criminal forfeiture to the United States of America of certain property in which the defendant, **BERKENDY THEODORIS**, has an interest.

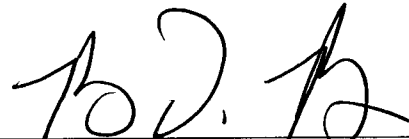
2. Upon conviction of a violation of Title 18, United States Code, Section 922(g)(1), or any other criminal law of the United States, as alleged in this Indictment, the defendant shall forfeit to the United States of America any firearm involved in or used in the commission of such violation, pursuant to Title 18, United States Code, Section 924(d)(1).

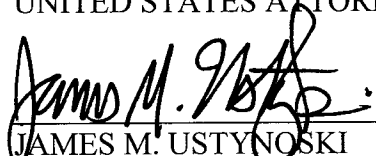
3. The property subject to forfeiture as a result of the alleged offense includes, but is not limited to, the following:

- (a) One (1) Sig Sauer, model P320, 9mm caliber pistol, bearing serial number 58C029390.

All pursuant to Title 18, United States Code, Section 924(d)(1), and the procedures set forth at Title 21, United States Code, Section 853, as incorporated by Title 28, United States Code, Section 2461(c).

FOREPERSON


FOR MARKENZY LAPOINTE
UNITED STATES ATTORNEY


JAMES M. USTYNOSKI
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA

CASE NO.: _____

v.

BERKENDY THEODORIS,

Defendant.

Court Division (select one)

☐ Miami☐ Key West☐ FTP☒ FTL☐ WPB

CERTIFICATE OF TRIAL ATTORNEY

Superseding Case Information:

New Defendant(s) (Yes or No) _____

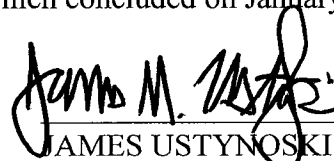
Number of New Defendants _____

Total number of counts _____

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. §3161.
3. Interpreter: (Yes or No) No
List language and/or dialect: _____
4. This case will take 3 days for the parties to try.
5. Please check appropriate category and type of offense listed below:
(Check only one) (Check only one)
I ☒ 0 to 5 days ☐ Petty
II ☐ 6 to 10 days ☐ Minor
III ☐ 11 to 20 days ☐ Misdemeanor
IV ☐ 21 to 60 days ☒ Felony
V ☐ 61 days and over
6. Has this case been previously filed in this District Court? (Yes or No) No
If yes, Judge _____ Case No. _____
7. Has a complaint been filed in this matter? (Yes or No) No
If yes, Magistrate Case No. _____
8. Does this case relate to a previously filed matter in this District Court? (Yes or No) No
If yes, Judge _____ Case No. _____
9. Defendant(s) in federal custody as of _____
10. Defendant(s) in state custody as of October 12, 2023
11. Rule 20 from the _____ District of _____
12. Is this a potential death penalty case? (Yes or No) No
13. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard? (Yes or No) No
14. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss? (Yes or No) No
15. Did this matter involve the participation of or consultation with now Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? No

By: _____



JAMES USTYNOSKI

Assistant United States Attorney

Court ID No. A5502615

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: BERKENDY THEODORIS

Case No: _____

Count 1:

Felon in Possession of a Firearm

Title 18, United States Code, Section 922(g)(1)

- * **Max. Term of Imprisonment:** 15 Years'
- * **Mandatory Min. Term of Imprisonment (if applicable):** N/A
- * **Max. Supervised Release:** 3 Years'
- * **Max. Fine:** \$250,000.00

Count:

- * **Max. Term of Imprisonment:**
- * **Mandatory Min. Term of Imprisonment (if applicable):**
- * **Max. Supervised Release:**
- * **Max. Fine:**

Count:

- * **Max. Term of Imprisonment:**
- * **Mandatory Min. Term of Imprisonment (if applicable):**
- * **Max. Supervised Release:**
- * **Max. Fine:**

Count:

- * **Max. Term of Imprisonment:**
- * **Mandatory Min. Term of Imprisonment (if applicable):**
- * **Max. Supervised Release:**
- * **Max. Fine:**

*Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.